

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6806

BILL NUMBER: HB 1165

NOTE PREPARED: Dec 28, 2002

BILL AMENDED:

SUBJECT: Ballot Access; Candidate Deadlines.

FIRST AUTHOR: Rep. Frenz

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill reduces the number of signatures of registered voters required by a political party or an independent candidate to gain ballot access for all federal, state, and local offices and for local offices in a single political subdivision, and allows a political party obtaining ballot access by these methods to nominate its candidates by a state or local convention. The bill provides certain filing, certification, and withdrawal deadlines for petitions of nomination and candidates nominated by a state convention. The bill allows a party whose candidate obtains at least 0.5% of the total vote cast for federal or state office to remain on the ballot for all federal, state, and local offices until none of the party's candidates for federal or state office meet that requirement in two consecutive elections. The bill provides for certain deadlines for filling state convention candidate and early candidate vacancies.

Effective Date: Upon passage.

Explanation of State Expenditures: *Summary:* The bill could require the Indiana Election Division to include additional candidates on general election ballots for state and federal elected offices. The Election Division could see an increase in printing expenditures as a result. The Election Division would have to determine if petitions for state or federal office submitted are in compliance under the requirements of the bill. The Election Division would require minor expenditures in order to update petition forms.

As an example, if an additional staff member were necessary to carry out these provisions, a COMOT 3 position would require an expenditure of \$38,502 in FY 2004 and \$38,172 in FY 2005.

As of December 7, 2002, the Election Division had 12 filled positions and one vacancy, a PAT 3 position (systems analyst).

Background: Based on data obtained from the Indiana Election Division, 0.5% of the statewide total vote for the most recent election of Secretary of State (SOS) is 7,388 signatures. Under current law the requirement for a petition is 2% of votes for SOS for a statewide office and 2% of the vote for SOS in the election district a candidate wishes to represent. Two percent of the total vote statewide for Secretary of State is 29,552. The following table lists 0.5% of the total statewide vote for major federal and state offices in the most recent election for each office:

Office	Total Votes Required at 0.5%
US PRESIDENT (2000)	10,997
US SENATE (2000)	10,726
US SENATE (1998)	7,943
Governor (2000)	10,896
Secretary of State (2002)	7,388
Auditor of State (2002)	7,304
Treasurer of State (2002)	7,303
Attorney General (2000)	10,511
Superintendent of Public Instruction (2000)	10,390
Clerk of Supreme Court (2002)	7,241

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* The impact to local expenditures is indeterminable and will vary within each county by the number of petitions filed as a result of the bill. County election boards and boards of registration may face additional administrative expense and time to carry out the provisions of the bill. Under the bill, county election boards would be required to verify that each person signing a petition that requires a number of signatures equal to at least 0.5% of the total vote for Secretary of State in the most recent election is a registered voter of the county.

Additionally, the county election board would be required to print those candidates on general, special, or municipal election ballots that have submitted a verified 0.5% voter petition. (Current law requires the printing of candidates on municipal election ballots that have submitted a verified 2% voter petition.)

The bill would allow county election boards to appoint watchers of a party that petitions with signatures equal to at least 0.5% of the total vote for the most recent election of Secretary of State at poll sites when a public question has been submitted to the electorate of the county. Watchers are not paid out of local government funds for their service.

Background: Under current law, petitions to have an independent candidate that is not nominated by a party convention placed on the ballot in an election requires the following: A petition of nomination must be signed by the number of voters equal to 2% of the total vote cast at the last election for Secretary of State in the election district that the candidate seeks to represent. The circuit court clerk or board of registration in the county where the petitioner is registered must certify that each petitioner is a voter in the county.

For the 2000 general election, the cost of paper ballots per 1,000 voters was about \$54.75, while the cost of changing ballots for direct recording electronic voting systems would likely be less. The cost of optical scan ballots was about \$300 per thousand.

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Division.

Local Agencies Affected: County election boards, County boards of registration.

Information Sources: Indiana Election Division; State of Indiana *HRM Detail Staffing Report 12/07/02*; Election Systems and Software, (317) 913-0230.

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